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Dkt. 57906-B/JPW/AJD

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: William C. Olson and Paul J. Maddon  
Serial No.: 09/594,983 Group Art Unit: 1648  
Filed: June 15, 2000 Examiner: Shanon A. Foley  
For: SYNERGISTIC INHIBITION OF HIV-1 FUSION AND  
ATTACHMENT, COMPOSITIONS AND ANTIBODIES THERETO

1185 Avenue of the Americas  
New York, New York 10036  
January 7, 2005

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

Sir:

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

This Supplemental Information Disclosure Statement is submitted under 37 C.F.R. §1.97(c) and §1.97(e)(1) to supplement the Information Disclosure Statements filed August 12, 2004, July 22, 2004, June 3, 2004, September 3, 2003, June 3, 2003, June 14, 2001, and September 6, 2000 in connection with the above-identified application.

In accordance with their duty of disclosure under 37 C.F.R. §1.56, applicants direct the Examiner's attention to the following references which are listed on the attached Form PTO-1449 (**Exhibit A**) and attached hereto as **Exhibits 1-5**, respectively:

1. PCT International Application Publication No. WO 97/45543 A, published December 4, 1997 (**Exhibit 1**);
2. PCT International Application Publication No. WO 97/47318 A, published December 18, 1997 (**Exhibit 2**);

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Filed June 15, 2000  
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3. Ghorpade, A., Xia, M.Q., Hyman, B.T., Persidsky, Y., Nukuna, A., Bock, P., Che, M., Limoges, J., Gendelman, H.E. and Mackay, C.R. (1998) Role of the beta-chemokine receptors CCR3 and CCR5 in human immunodeficiency virus type 1 infection of monocytes and microglia. J. Virol. 72: 3351-3361 (**Exhibit 3**);
4. Schols, D., Proost, P., Struyf, S., Wuyts, A., De Meester, I., Scharpe, S., Van Damme, J. and De Clercq, E. (1999) CD26-processed RANTES(3-68), but not intact RANTES, has potent anti-HIV-1 activity. Antiviral Res. 39: 175-187 (**Exhibit 4**); and
5. Simmons, G., Clapham, P.R., Picard, L., Offord, R.E., Rosenkilde, M.M., Schwartz, T.W., Buser, R., Wells, T.N., Proudfoot, A.E. (1997) Potent inhibition of HIV-1 infectivity in macrophages and lymphocytes by a novel CCR5 antagonist. Science 276: 276-279 (**Exhibit 5**).

The Examiner is respectfully requested to make these references of record in the present application by initialing and returning a copy of the enclosed Form PTO 1449.

According to 37 C.F.R. §1.97(c)(1), an Information Disclosure Statement shall be considered by the U.S. Patent and Trademark Office if filed after the period specified in §1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a final action under §1.113, a notice of allowance under §1.113, or an action that otherwise closes prosecution in the application, and is accompanied by one of (1) the statement specified in 37 C.F.R. §1.97(e)(1) or §1.97(e)(2), or (2) the fee set forth in 37 C.F.R. §1.17(p).

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Pursuant to 37 C.F.R. §1.97(e)(1), applicants hereby state that each item of information contained in this Supplemental Information Disclosure Statement was first cited in a Supplementary Partial European Search Report issued October 8, 2004 in connection with European Patent Application No. 99966466.7-2402, a foreign counterpart of the subject application, not more than three months prior to the filing of this Supplemental Information Disclosure Statement. A copy of this European Search Report is attached hereto as **Exhibit B**.

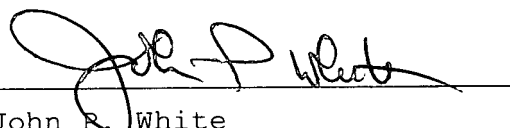
Applicants note that Mcknight et al. (1997), Wu et al. (1997) J. Exp. Med. 186: 1373-1381, and Ylisastigui et al. (1998) cited in the above-identified European Search Report (**Exhibit B**) are not listed herein because these references were previously made of record in the subject application, having been cited to the Examiner as references T, X and Y, respectively, in the Information Disclosure Statement filed September 6, 2000. Similarly, Olson et al. (1999) and Wu et al. (1997) J. Exp. Med. 185: 1681-1691 are not listed herein because they were previously disclosed as references 3 and 6, respectively, in the Supplemental Information Disclosure Statement filed September 3, 2003. PCT International Application Publication No. WO 98/18826, cited in the European Search Report (**Exhibit B**), is also not listed herein because it was previously cited by the Examiner in a Notice Of References Cited, issued together with the March 13, 2002 Office Action.

If a telephone interview would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorney invites the Examiner to telephone him at the number provided below.

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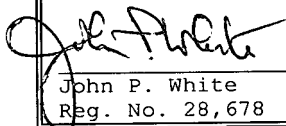
Pursuant to 37 C.F.R. §1.97(c)(1) and §1.97(e)(1), no fee is deemed necessary in connection with the filing of this Supplemental Information Disclosure Statement. However, if any fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

Respectfully submitted,



John P. White  
Registration No. 28,678  
Attorney for Applicants  
Cooper & Dunham, LLP  
1185 Avenue of the Americas  
New York, New York 10036  
(212) 278-0400

I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to:  
Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450



1/7/05

John P. White  
Reg. No. 28,678

Date

<b>Form PTO-1449</b> <b>U.S. Department of Commerce</b> <b>Patent and Trademark Office</b>  <b>INFORMATION DISCLOSURE STATEMENT</b> (Use several sheets if necessary)	Application Number	09/594,983
	Filing Date	June 15, 2000
	First Named Inventor	William C. Olson et al.
	Art Unit	1648
	Examiner Name	Shanon A. Foley
	Attorney Docket No.	2048/57906-B/JPW/AJD

### U.S. PATENT DOCUMENTS

Examiner Initials <sup>1</sup>	Cite No. <sup>1</sup>	Document Number Number-Kind Code <sup>2</sup> (if known)	Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document

### FOREIGN PATENT DOCUMENTS

Examiner Initials <sup>1</sup>	Cite No. <sup>1</sup>	Foreign Patent Document Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	T <sup>6</sup>
	1	WO/9745543 A	12-04-1997	Combadiere. Chrisophe et al.	
	2	WO/9747318 A	12-18-1997	Allaway. Graham P. et al.	

### NON PATENT LITERATURE DOCUMENTS

Examiner Initials <sup>1</sup>	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	3	GHORPADE, A., XIA, M.Q., HYMAN, B.T., PERSODSKY, Y., NUKUNA, A., BOCK, P., CHE, M., LIMOGES, J., GENDELMAN, H.E. and MACKAY, C.R. (1998) Role of the beta-chemokine receptors CCR3 and CCR5 in human immunodeficiency virus type 1 infection of monocytes and microglia. J. Virol. 72: 3351-3361;	
	4	SCHOLS. D., PROOST, P., STRUYF, S., WUYTS, A., DE MEESTER, I., SCHARPE, S., VAN DAMME, J. and DE CLERCQ, E. (1999) CD26-processed RANTES(3-68), but not intact RANTES, has potent anti-HIV-1 activity. Antiviral Res. 39: 175-187; and	
	5	SIMMONS, G., CLAPHAM, P.R., PICARD, L., OFFORD, R.E., ROSENKILDE, M.M., SCHWARTZ, T.W., BUSIER R., WELLS, T.N., PROUDFOOT, A.E. (1997) Potent inhibition of HIV-1 infectivity in macrophages and lymphocytes by a novel CCR5 antagonist. Science 276: 276-279.	

EXAMINER SIGNATURE	DATE CONSIDERED
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\*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609: Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds of Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English Language Translation is attached.

Applicants: William C. Olson, et al.  
 Serial No.: 09/594,938  
 Filed: June 15, 2000  
 Exhibit A